

REMARKS

An amendment to the specification identifies specifically certain portions of the conveyor structure that are clearly shown in the drawings.

A new claim 5 is added, which echoes the description of the conveyor structure thus identified.

New claim 5 cannot be met by any of the references previously applied. LANGEN et al. disclose pushers, or plural pushers if the items 68 are considered to be plural pushers, but each associated with only one pathway of goods into one carton. This would be true even if the return means of OSTHOLT et al. or the return movement of FARRELLY were provided for LANGEN et al. In other words, there is no obvious way to modify LANGEN et al. so that a control arm can span plural pathways for simultaneously loading plural cartons.

Reconsideration is also respectfully requested for the rejection of claims 1-4 as unpatentable over LANGEN et al. in view of OSTHOLT et al., or further in view of FARRELLY.

Not claimed
Considering claim 1, we see the distinction that the present invention uses a single control arm for filling separate cartons. In LANGEN et al., regardless of whether one considers that there are plural pushers, nevertheless, there can be considered to be only a single control arm dedicated to one carton.

As these features are clearly brought out in claim 1, it is believed that claim 1 is patentable and with it claims 2-4.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Robert J. Patch, Reg. No. 17,355
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297

RJP/fb

Appendix:

The Appendix includes the following item:

- a replacement sheet for Figure 1